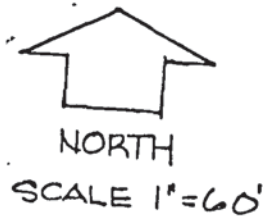
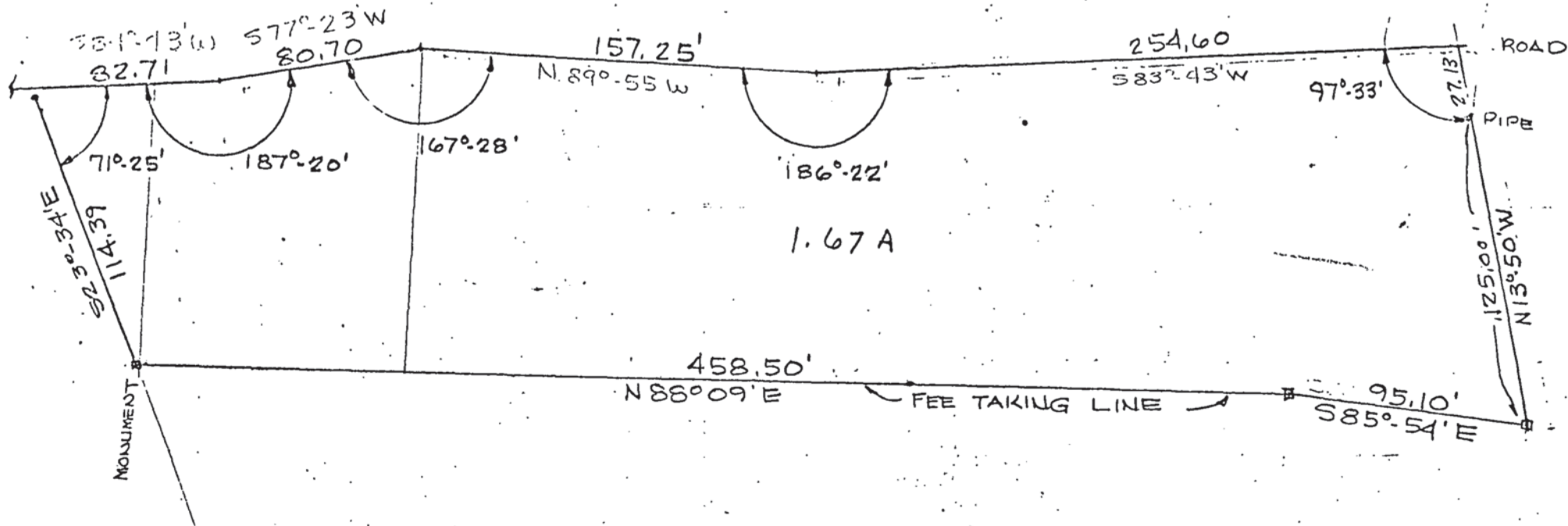


T08N-R01E-30_0000_MCS



PAUL PENNINGTON PROPERTY
MONROE COUNTY, INDIANA

Raymond Graham

Paul Pennington to Adams

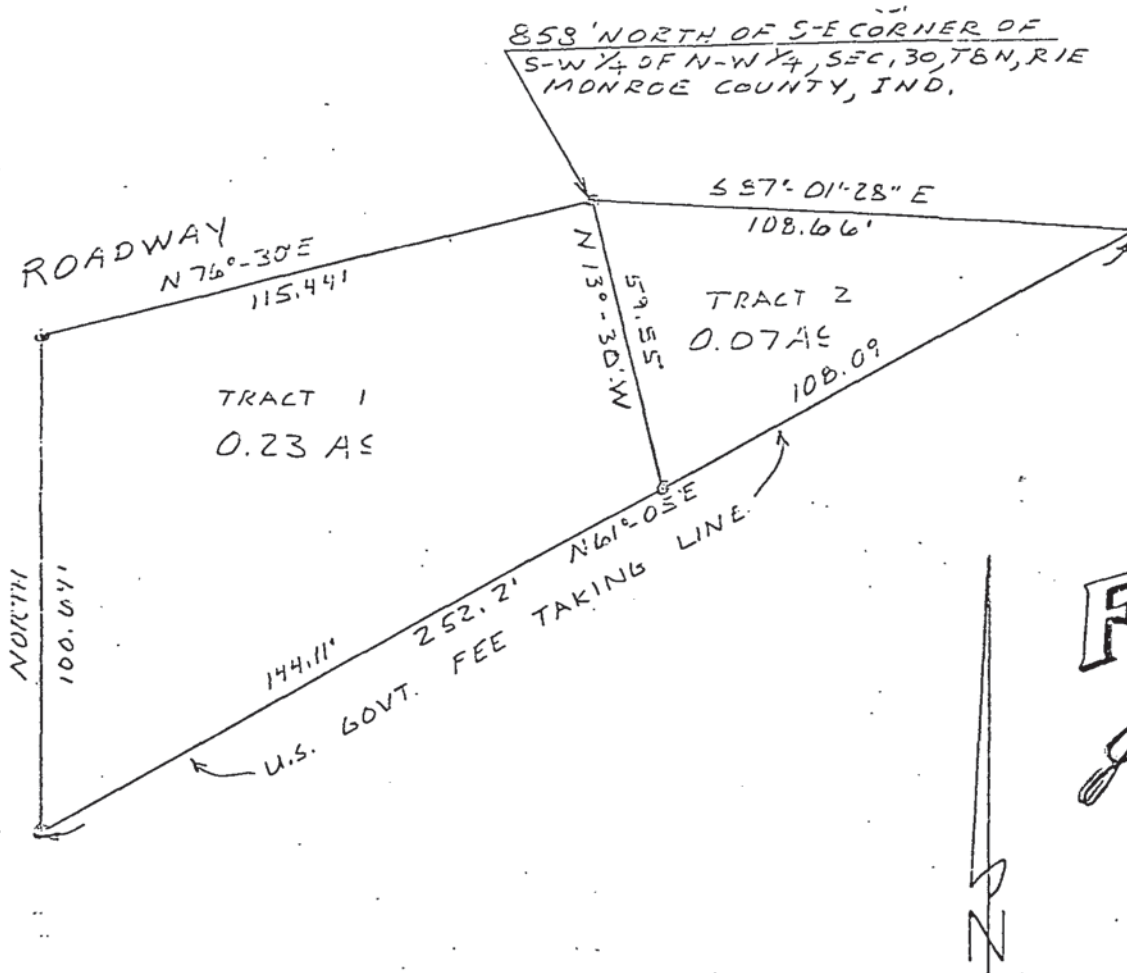
A part of the Southwest quarter of the Northwest quarter of Section 30, Township 8 North, Range 1 East, Monroe County, Indiana, described as follows: Beginning at a point that is 696.4 feet West and 601.3 feet South of the Northeast corner of said quarter quarter and on the centerline of a road, thence along the road centerline the following directions and dimensions, South $83^{\circ} 43'$ West for 254.60 feet, North $89^{\circ} 55'$ West for 157.25 feet, South $77^{\circ} 23'$ West for 80.70 feet, South $84^{\circ} 43'$ West for 82.71 feet and to the Monroe Reservoir Fee Taking Line, thence along the Fee Taking Line the following directions and dimensions, South $23^{\circ} 34'$ East for 114.39 feet, North $38^{\circ} 09'$ East for 458.50 feet, South $65^{\circ} 54'$ East for 95.10 feet, thence leaving Fee Taking Line and running North $13^{\circ} 50'$ West for 152.13 feet and to the point of beginning. Containing in all 1.67 acres, more or less.

Raymond Graham



St Martin to DERNBACH

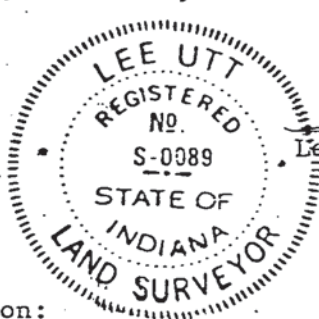
Sec 30 Salt Creek



DERNBACH - ST. MARTIN

State of Indiana
County of Monroe Ss:

I, Lee Utt, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana; that the above plat and the following description correctly represents a survey completed by me on August 15, 1979; that all monuments shown thereon actually exist; and that their location and type are, to the best of my knowledge, accurately shown.



Lee Utt, R. L. S. # S0089, Indiana
1604 South Henderson St.
Bloomington, Indiana 47401

Legal description:

A part of the South one half of the Northwest quarter of Section 30, Township 8 North, Range 1 East, Monroe County, Indiana, bounded and described as follows:

Beginning at a point that is 858 feet North of the Southeast corner of the Southwest quarter of the Northwest quarter of said Section 30; thence from said point of beginning and running South 87°-01'-28" East for 108.66 feet and to the U. S. Government Fee Taking Line; thence with said Fee Taking line and running South 61°-05' West for 108.09 feet; thence leaving said Fee Taking line and running North 13°-30' West for 59.55 feet and to the point of beginning. Containing 0.07 acre, more or less.

TRI CO Surveying & Mapping

Edmund O. Farkas, Registered Land Surveyor

103 West Temperance
P.O. Box 96
Ellettsville, Indiana 47429
Phone: 812-876-2305

TRACT ONE:

A part of the Northwest Quarter of Section Thirty (30), Township Eight (8) North, Range One (1) East, Monroe County, Indiana, and more particularly described as follows:

Beginning at a point in the North line of an existing road, said point being 1866.47 feet South and 276.02 feet East of the Northwest Corner of said Section, said point also being 32.44 feet North and 128.09 feet East of a stone on the fee taking line of Lake Monroe, thence leaving said North line North Nine (09) Degrees, Forty-one (41) Minutes and Thirty-four (34) Seconds West 225.00 feet, thence North Eighty-seven (87) Degrees, Fifteen (15) Minutes and Eight (08) Seconds East 200.00 feet, thence South Nine (09) Degrees, Fifty-two (52) Minutes and Four (04) Seconds East 225.00 feet to the North line of the aforementioned road, thence along said North line the following Three (3) courses and distances: South Eighty-five (85) Degrees, Twenty-seven (27) Minutes and One (01) Second West 83.85 feet, thence North Eighty-nine (89) Degrees, Twenty-four (24) Minutes and Twelve (12) Seconds West 88.35 feet, thence South Eighty-two (82) Degrees, Four (04) Minutes and Six (06) Seconds West to the place of beginning.

Containing 1.03 acres, more or less.

ALSO an Easement: See Schedule A.

Lot 12

DR 272/664

12' alley vacated 1-18-1980

Benton Twp

PT. N-W 1/4 SEC - 27, T10N, R1E
100' X 200'

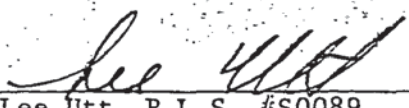
REGISTERED LAND SURVEYOR NO. 50089, INDIANA
OFFICE PHONE 332-6366 HOME PHONE 825-5981
1804 SOUTH HENDERSON
BLOOMINGTON, INDIANA 47401

November 28, 1977

Legal description: Parcel #2

A part of the Southwest quarter of the Northwest quarter of Section 30, Township 8 North, Range 1 East, Monroe County, Indiana, bounded and described as follows:

Beginning at a point that is 761.43 feet North and 407.75 feet West of the Southeast corner of said Southwest quarter of the Northwest quarter; thence from said point of beginning and running South 05°-52'-57" East for 155.73 feet and to the U.S. Government Fee Taking Line; thence with said fee taking line and running South 68°-22' West for 93.29 feet; thence leaving said fee taking line and running North 07°-51'-52" West for 169.19 feet and to the centerline of a roadway; thence with the centerline of said roadway and running North 76°-30' East for 96.39 feet and to the point of beginning. Containing 0.33 acre, more or less.


Lee Utt, R.L.S. #S0089

FILED

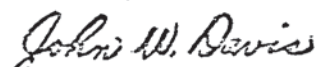
MAR 20 1978


Auditor Monroe County, Indiana

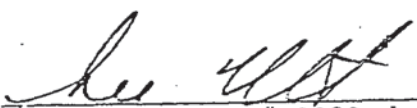


FILED

MAR 20 1978


Auditor Monroe County, Indiana




Lee Utt, R.L.S. #S0089

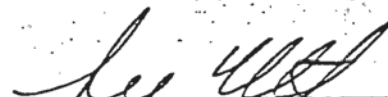
LEE UTT
REGISTERED LAND SURVEYOR NO. 50089, INDIANA
OFFICE PHONE 332-6366 HOME PHONE 825-5361
1604 SOUTH HENDERSON
BLOOMINGTON, INDIANA 47401

November 28, 1977

Legal description: Parcel #1

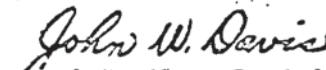
Mary Francis Roll

A part of the Southwest quarter of the Northwest quarter of Section 30, Township 8 North, Range 1 East, Monroe County, Indiana, bounded and described as follows:
Beginning at a point that is 785.62 feet North and 307 feet West of the Southeast corner of said Southwest quarter of the Northwest quarter; thence from said point of beginning and running South 05°-52'-57" East for 140.5 feet and to the U.S. Government Fee Taking Line; thence with said fee taking line and running South 68°-22' West for 106.71 feet; thence leaving said fee taking line and running North 05°-52'-57" West for 155.73 feet and to the centerline of a roadway; thence with the centerline of said roadway and running North 76°-30' East for 103.61 feet and to the point of beginning. Containing 0.35 acre, more or less.


Lee Utt, R.L.S. #S0089

FILED

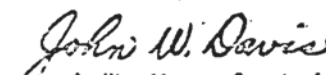
MAR 20 1978


Auditor Monroe County, Indiana

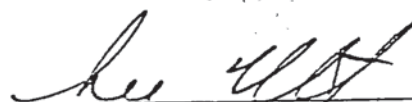


FILED

MAR 20 1978


Auditor Monroe County, Indiana




Lee Utt, R.L.S. #S0089



OFFICE OF
MONROE COUNTY SURVEYOR

KEVIN P. ENRIGHT
County Surveyor

Health Services Building
119 West 7th Street
Bloomington, IN 47404
Phone (812) 349-2570

TO: Mr. and Mrs. Gary Dees
6109 South Handy Road
Bloomington, IN 47401

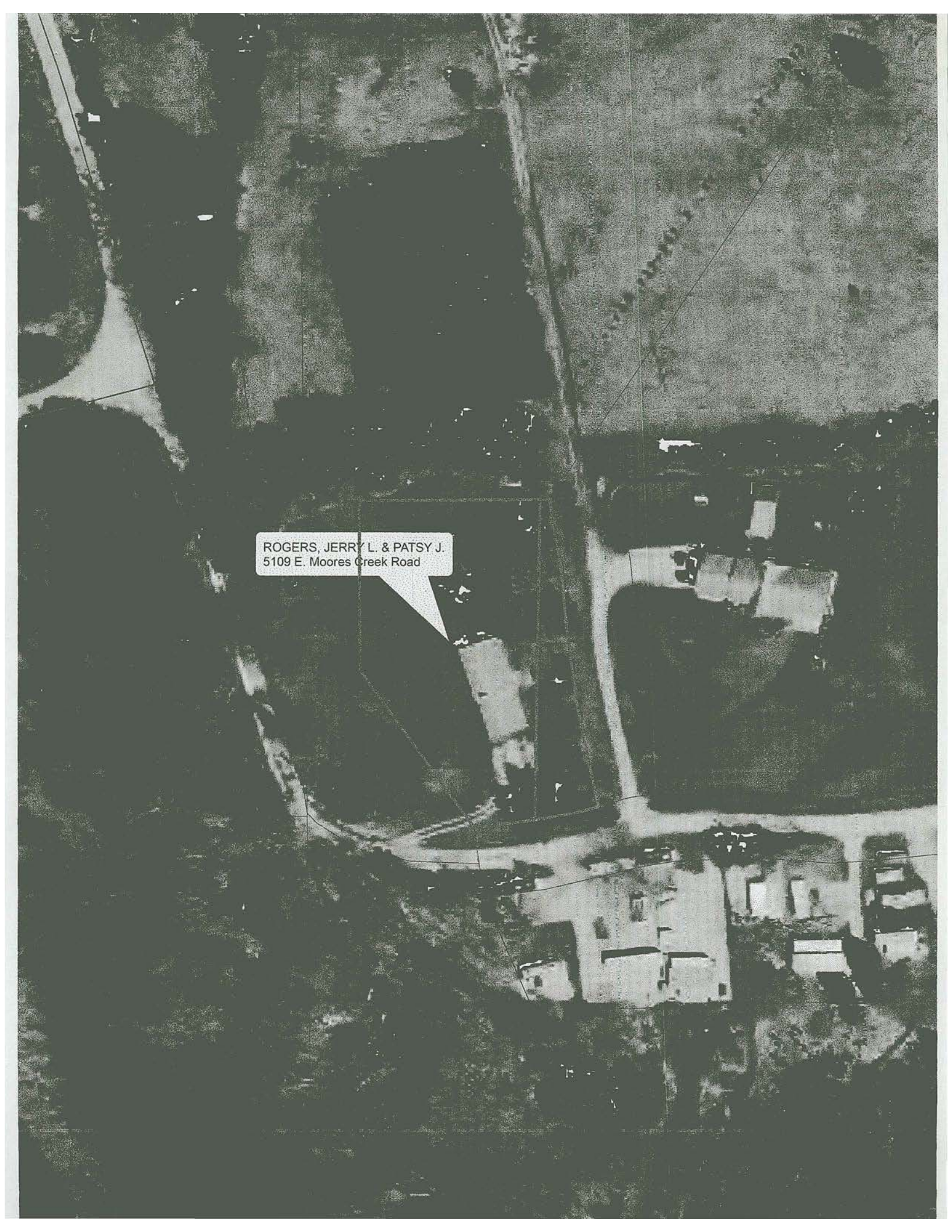
SUBJECT: Parcel at 5109 Moore's Creek Road

DATE: November 30, 2006

Today I received your phone call requesting information about your property at 5109 Moore's Creek Road and about the neighbor pulling out survey stakes and setting up a cow fence. You identified the neighbor to your north as Mr. Paul Pennington. Mr. Pennington had conducted a Legal Survey of his property and filed that with our office on May 9, 2006. One of the requirements of a Legal Survey is to give certified notice to all adjoining property owners, so I am including a copy of the letter that was sent to Jerry and Patsy Rogers, who were the owners of this parcel. All the property owners have 30 days to respond to a Legal Survey. No one has come into my office to file a complaint with this office, so a Legal Survey is binding. This is recorded in Legal Survey Book Number 4 on page 24. I am sending you copies of this information. If you have questions or concerns, you are welcome to come in or call my office.

Sincerely,

Kevin Enright
Monroe County Surveyor

An aerial photograph of a residential property. A white callout box with a pointer identifies the location. The property is situated on a road, with a large, dark, irregularly shaped area (possibly a pond or a large lawn) to its left. To the right of the property, there are several buildings, including what appears to be a large house and some smaller structures. The surrounding area is mostly dark, suggesting dense vegetation or trees.

ROGERS, JERRY L. & PATSY J.
5109 E. Moores Creek Road

PAUL PENNINGTON LEGAL SURVEY

N-E CORNER OF
SECTION 25, T8N, R1W,
MONROE COUNTY, INDIANA

Section 24, T8N, R1W
Section 25, T8N, R1W

FOUND 1/2" REBAR

N-W CORNER OF THE
WEST 1/2 OF THE N-W 1/4 OF
SECTION 30, T8N, R1E,
MONROE COUNTY, INDIANA

William L. Pennington &
Fannie Pennington
D.R. Instr. #: 2004008873
6.19 Ac

Howell, Lawrence &
Janet G. Tr.
D.R. 483, Pg. 198
64.90 Ac

Section 19, T8N, R1E
Section 30, T8N, R1E

N-E CORNER OF THE
WEST 1/2 OF THE N-W 1/4 OF
SECTION 30, T8N, R1E,
MONROE COUNTY, INDIANA

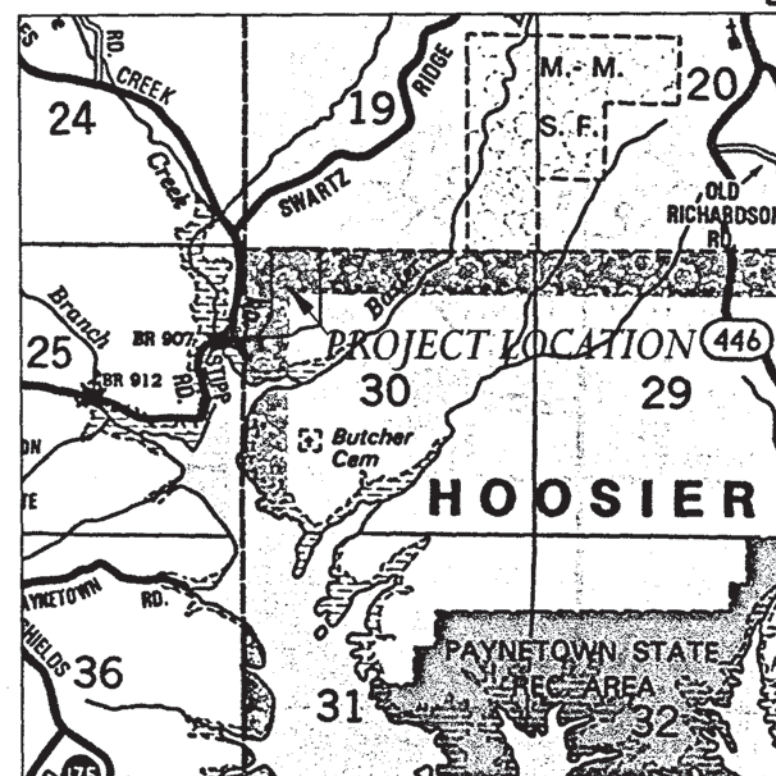
PENNINGTON MINOR SUBDIVISION
TRACT 1
6.19 ACRES

PENNINGTON MINOR SUBDIVISION
TRACT 2
6.19 ACRES

TRACT #2
6.04 AC

5.66 Acres in Section 30, T8N, R1E
0.38 Acres in Section 25, T8N, R1W

TRACT #1
34.43 AC



LOCATION MAP



SCALE 1" = 100'

LEGEND

These standard symbols will
be found in the drawing.

- = SET 5/8" IRON PIN
(30" IN LENGTH WITH CAP MARKED "UTT S0089")
- ⊠ = SET WOOD LATH ON PROPERTY LINE
- ⊗ = FOUND 4" ROUND STEEL POST 4" ABOVE GRADE
FILLED WITH CONCRETE WITH "X" ON TOP
- = FOUND STONE
- = FOUND IRON PIN
- ⊙ = FOUND IRON PIPE
- ⊕ = FOUND CONCRETE U.S. GOVERNMENT
FEE TAKING LINE MONUMENT
- ◇ = FOUND IRON "T" POST
- ⊛ = TREES
- = EXISTING FENCE LINE

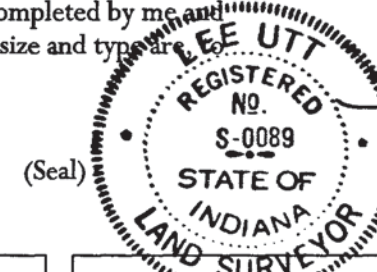
SURVEYOR'S CERTIFICATE:

I, Lee Utt, hereby certify that I am a Registered Land Surveyor licensed in compliance with the laws of the State of Indiana; that this plat accurately represents a survey completed by me and that all monuments shown thereon actually exist; and that their location, size and type are the best of my knowledge, accurately shown.

Date:

5/4/06

PAUL PENNINGTON LEGAL SURVEY
A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF
SECTION 30 TOWNSHIP 8 NORTH, RANGE 1 EAST,
AND A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF
SECTION 25 TOWNSHIP 8 NORTH, RANGE 1 WEST.



received
5-9-06
KE



Lee Utt, R. L. S. #S0089, Indiana
1604 South Henderson Street
Bloomington, Indiana 47401
Phone #: (812) 332-6366

LEE UTT
LAND SURVEYING
1604 S. HENDERSON ST.
BLOOMINGTON, IN. 47401
TELEPHONE (812) 332-6366
FAX (812) 332-7536
leeutt@leeuttland.com

DATE
04/18/06

1
PENNINGTON.dwg

SURVEYED
LU
DRAFTED
JDR
CHECKED
LU
DATE
04/28/06

REVISIONS	BY	DATE

DELTA ASSOCIATES, LLC
LEE UTT
Registered Land Surveyor #S0089, Indiana
Phone (812) 332-6366
1604 S. Henderson St.
Bloomington, Indiana 47401

SURVEYOR'S REPORT

Paul Pennington.
Section 30, Township 8 North, Range 1 East and Section 25, Township 8 North, Range 1 West,
Monroe County, Indiana
April 28, 2006

1.)
In accordance with Title 864, Article 1.1, Chapter 13, Section 1 through 34 of the Indiana
Administrative Code, the following observation and opinions are submitted regarding the various
uncertainties in the location of the lines and corners established on this survey as a result of:

- a) Variances in the reference monuments;
- b) Discrepancies in record descriptions and plats;
- c) Inconsistencies in lines of occupation;
- d) Random error in measurements (theoretical uncertainty).

The theoretical uncertainty (due to random errors in measurement) of the corners of the subject
tract established this survey, are within the specifications for a Class B survey (0.25 ft.), as
defined in 1AC864.

This Legal Survey, as prescribed by Statute, was made at the request of Mr. Paul Pennington to
permanently establish boundaries between subject tracts and adjoining.

Basis of bearings is from a previous survey of an adjoining to the East of Tract #1 and there is no
reason to assume that this line is a contentious issue.

A recorded plat of Pennington Minor Subdivision to the West of Tract #1 is however a
contentious issue in that there is an overlap of about 223 feet. In recorded documents (Deed
Record 52, Page 464) a predecessor in Title to client states an East West dimension along the
North line of 53 2/3 rods (885.55 feet), and the recorded document (Deed Record 4, Page 344-
345) a predecessor in Title to the adjoining to the West of Tract #1 gives the East West distance
along the North line of Section 30 as 26 2/3 rods (440 feet) these dimensions add to 1325.55 feet,
however Section 30 is a Fractional Section and the record distance of the closing line of the
Northwest quarter of the Northwest quarter is 1389.11 feet and measured distance is 1385.66
feet. As a result of this observation the East West dimension of the subject tract and the adjoining
to the West was apportioned among Tract #1 of the subject tracts and the adjoining to the West.

Tract #2 of the subject tracts is described in the most recent source of Title as lying within
Section 30, Township 8 north, Range 1 East, however further research of Chain of Title reveals
an interest in a part of the Northeast quarter of Section 25, Township 8 North, Range 1 East
(Deed Record 61, Page 411).

Monuments were either found or set as shown on the plat of survey.

As a result of the above observations, it is my opinion that the uncertainties in the location of the
lines and corners are compatible with the standard of accuracy as stated above.

received
5-9-06

K.E.



Lee Utt, R. L. S. #S0089, Indiana
1604 S. Henderson Street
Bloomington, Indiana 47401
April 28, 2006

Legal Description:

Paul Pennington, Tract #1

A part of the West one half of the Northwest quarter, Section 30, Township 8 North, Range 1
East, Monroe County, Indiana, bounded and described as follows: Beginning at a found stone
marking the Northeast corner of the West one half of said Northwest quarter; thence from said
point of beginning and with the East line of said West one half of the Northwest quarter and
running South 00 degrees 01 minutes 51 seconds West for 1427.69 feet and to a set 5/8 inch iron
pin; thence leaving said East line South 73 degrees 18 minutes 38 seconds West for 143.54 feet
and to a found iron pipe; thence South 82 degrees 10 minutes 34 seconds West for 226.95 feet
and to a set 5/8 inch iron pin; thence South 54 degrees 06 minutes 56 seconds West for 200.02
feet and to a set 5/8 inch iron pin; thence South 82 degrees 24 minutes 06 seconds West for
200.00 feet and to a found iron pin; thence South 85 degrees 11 minutes 42 seconds West for
200.02 feet and to a found iron pin; thence South 87 degrees 27 minutes 47 seconds West for
199.76 feet and to a found iron pin; thence South 09 degrees 40 minutes 33 seconds East for
224.91 feet and to a set 5/8 inch iron pin; thence South 65 degrees 47 minutes 38 seconds West for
51.74 feet and to a set 5/8 inch iron pin; thence North 09 degrees 53 minutes 46 seconds West for
274.03 feet and to a found stone; thence North 34 degrees 12 minutes 02 seconds East for 462.09
feet and to a set 5/8 inch iron pin; thence North 00 degrees 18 minutes 15 seconds West for
1250.54 feet and to a set 5/8 inch iron pin on the North line of Section 30, said iron pin being
North 89 degrees 25 minutes 17 seconds East for 459.95 feet from a found 1/2 inch rebar
marking the Northwest corner of Section 30; thence with said North line and running North 89
degrees 25 minutes 17 seconds East for 925.71 feet and to the point of beginning, containing
34.43 acres more or less.

Subject to, all legal easements and right of way of record.

received
5-9-06



Lee Utt, R. L. S. #S0089, Indiana
1604 S. Henderson Street
Bloomington, Indiana 47401
April 28, 2006

PAUL PENNINGTON LEGAL SURVEY

Perry_Y17

N-E CORNER OF SECTION 25, T8N, R1W, MONROE COUNTY, INDIANA

Section 24, T8N, R1W
Section 25, T8N, R1W

FOUND 1/2" REBAR

N-W CORNER OF THE WEST 1/2 OF THE N-W 1/4 OF SECTION 30, T8N, R1E, MONROE COUNTY, INDIANA

SaCr_A17

William L. Pennington & Fannie Pennington
D.R. Instr. #: 2004008873
6.19 Ac

Howell, Lawrence & Janet G. Tr.
D.R. 483, Pg. 198
64.90 Ac

Section 19, T8N, R1E
Section 30, T8N, R1E

N-E CORNER OF THE WEST 1/2 OF THE N-W 1/4 OF SECTION 30, T8N, R1E, MONROE COUNTY, INDIANA

SaCr_B17

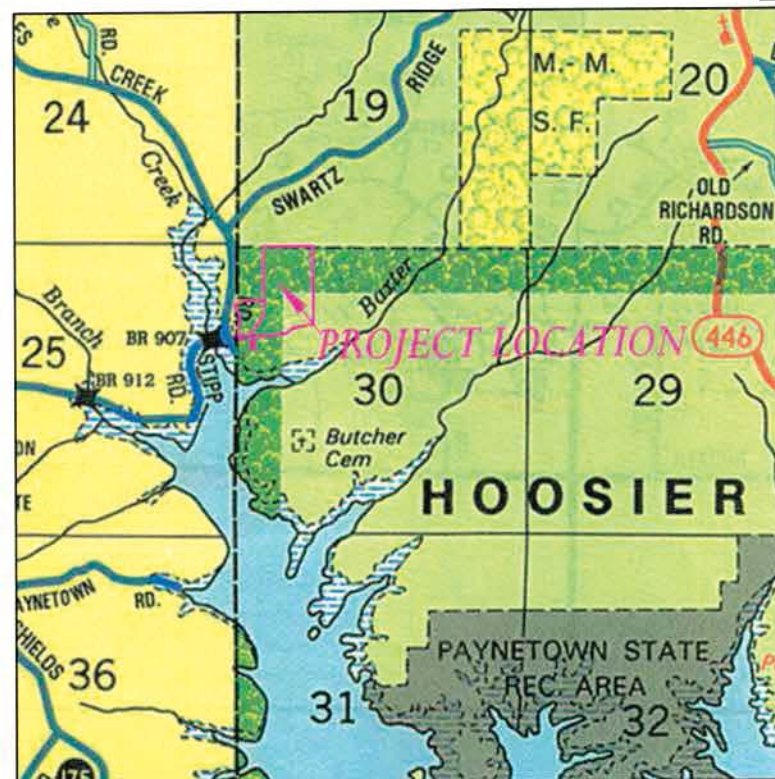
PENNINGTON MINOR SUBDIVISION
TRACT 1
6.19 ACRES

PENNINGTON MINOR SUBDIVISION
TRACT 2
6.19 ACRES

TRACT #2
6.04 AC

5.66 Acres in Section 30, T8N, R1E
0.38 Acres in Section 25, T8N, R1W

TRACT #1
34.43 AC



LOCATION MAP



SCALE 1" = 100'

LEGEND

These standard symbols will be found in the drawing.

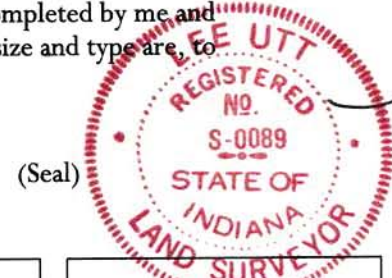
- = SET 5/8" IRON PIN (30" IN LENGTH WITH CAP MARKED "UTT S0089")
- ⊠ = SET WOOD LATH ON PROPERTY LINE
- ⊗ = FOUND 4" ROUND STEEL POST 4' ABOVE GRADE FILLED WITH CONCRETE WITH "X" ON TOP
- = FOUND STONE
- = FOUND IRON PIPE
- ⊙ = FOUND IRON PIPE
- ⊕ = FOUND CONCRETE U.S. GOVERNMENT FEE TAKING LINE MONUMENT
- ◇ = FOUND IRON "T" POST
- ⊕ = TREES
- = EXISTING FENCE LINE

SURVEYOR'S CERTIFICATE:

I, Lee Utt, hereby certify that I am a Registered Land Surveyor licensed in compliance with the laws of the State of Indiana; that this plat accurately represents a survey completed by me, and that all monuments shown thereon actually exist; and that their location, size and type are to the best of my knowledge, accurately shown.

5/4/06
Date:

PAUL PENNINGTON LEGAL SURVEY
A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 30 TOWNSHIP 8 NORTH, RANGE 1 EAST, AND A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 25 TOWNSHIP 8 NORTH, RANGE 1 WEST.



Lee Utt, R. L. S. #S0089, Indiana
1604 South Henderson Street
Bloomington, Indiana 47401
Phone #: (812) 332-6366

LEE UTT
LAND SURVEYING
1604 S. HENDERSON ST.
BLOOMINGTON, IN. 47401
TELEPHONE (812) 332-6366
FAX (812) 332-7536
dutt@bglobal.net

Legal Description:

Paul Pennington, Tract #2

A part of the West one half of the Northwest quarter of Section 30, Township 8 North, Range 1 East and part of the East one half of the Northeast quarter of Section 25, Township 8 North, Range 1 West, Monroe County, Indiana, bounded and described as follows: Beginning at a set 5/8 inch iron pin on the Section line dividing said Section 25 and Section 30, and on the U.S. Government Fee taking line, said point of beginning being South 00 degrees 18 minutes 15 seconds East for 1016.34 feet from a found 1/2" rebar marking the Northwest corner of said Section 30; thence from said point of beginning and with said fee taking line and running South 62 degrees 29 minutes 16 seconds West for 114.43 feet and to a found iron pipe; thence with said fee taking line and running South 30 degrees 18 minutes 04 seconds East for 210.41 feet and to a found iron post; thence with said fee taking line and running South 03 degrees 59 minutes 33 seconds West for 383.46 feet and to a found U.S. Government Fee Taking Line Monument; thence with said fee taking line and running South 30 degrees 08 minutes 24 seconds East for 117.55 feet and to a set 5/8 inch iron pin; thence leaving said fee taking line and running North 00 degrees 18 minutes 15 seconds West for 105.31 feet and to a set 5/8 inch iron pin; thence North 89 degrees 25 minutes 23 seconds East for 165.01 feet and to a found stone; thence North 34 degrees 12 minutes 02 seconds East for 462.09 feet and to a set 5/8 inch iron pin; thence North 00 degrees 18 minutes 15 seconds West for 260.54 feet and to a set 5/8 inch iron pin; thence South 89 degrees 25 minutes 17 seconds West for 408.24 feet and to a found iron pin on the U.S. Government Fee taking line; thence with said Fee Taking Line South 62 degrees 29 minutes 16 seconds West for 58.14 feet and to the point of beginning. Containing 0.38 acres in Section 25 and 5.66 acres in Section 30 and containing in the total above described 6.04 acres, more or less.

Subject to, all legal easements and right of way of record.

received
5-9-06

KE-



A handwritten signature in cursive script, appearing to read "Lee Utt".

Lee Utt, R. L. S. #S0089, Indiana
1604 S. Henderson Street
Bloomington, Indiana 47401
April 28, 2006